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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,470	06/25/2001	Prabhakar Gopalan	AUS920010555US1	3831

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EXAMINER

AKINTOLA, OLABODE

ART UNIT	PAPER NUMBER
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3691

MAIL DATE	DELIVERY MODE
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06/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/888,470	Applicant(s) GOPALAN, PRABHAKAR	
	Examiner OLABODE AKINTOLA	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al (USPAP 20010034725) in view of Armes et al (USPAP 20010034720).

Re claim 17: Park teaches a method of completing a financial transaction between a user having a payment account and a merchant having a merchant account, the method comprising:

a) the user logging on to a centralized personal data base using a basic number and a primary number, wherein the basic number is accessible by the user but not by the merchant (sections 0022-0024, 0028, 0034);

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- b) the user creating an electronic wallet in the centralized personal data base by inputting a payment account number of the user's payment account to associate with the electronic wallet (section 0024);
- c) responsive to the user creating the electronic wallet, the centralized personal data base generating a wallet number associated with the electronic wallet (section 0022-0023);
- d) the user making a purchase from the merchant on a purchase date by sending the primary number and the wallet number to the merchant, wherein the purchase has a price (section 0035);
- e) the merchant sending the primary number and the wallet number to the centralized personal data base (section 0036); and
- f) the centralized personal data base determining whether the purchase is authorized by determining whether the purchase price exceeds the payment limit of the electronic wallet, wherein the purchase is authorized when the purchase price does not exceed the payment limit (section 0037)
- g) responsive to determining that the purchase is authorized, the centralized personal data base debiting the user's payment account for the purchase price and crediting the merchant account (section 0037-0038)

Park does not explicitly teach the user inputting payment limit of the electronic wallet, and an expiration date of the electronic wallet; and whether the purchase date is after the expiration date, wherein the purchase is authorized when the purchase price does not exceed the payment limit and the purchase date is not after the expiration date.

Armes in the same field of art teaches the registering a cardholder to participate in a transaction system; generating a secondary transaction number (STN) and issuing this number to the

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cardholder, where the cardholder presents this number to a merchant to complete a sales transaction. The STN is generated by upon cardholder's request by the card provider and associates the STN with the holder's primary charge card account. The holder transmits the STN to the merchant and the merchant sends an authorization request to the provider using the STN (section 0014-0017, 0085). Armes further teaches that the STN may have limited-use (or conditions-of-use) parameters placed upon it by either the cardholder, merchant, or the card provider in order for the numbers to be restricted for particular uses. Alternatively, the cardholder is able to choose system default parameters of use. Parameters may include cardholder-determined expiration dates (i.e., STN will be generated with expiration dates that are associated but unrelated to the expiration date of the cardholder's PCC number, other than that it cannot exceed the expiration date of the PCC account) and limiting use of the STN to a specified dollar amount, dollar amount per transaction, total dollar amount for pre-designated number of transactions, maximum dollar amount per month, etc. (section 0056-0058; fig. 2; see also sections 0048, 0065-0068). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Park to include these features as taught by Armes for the obvious reason of providing restriction of the use of the wallet number thereby enhancing the security of the process.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Armes et al (USPAP 20010034720) in view of Shub et al (US 6807530).

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Re claim 17: Armes teaches a method of completing a financial transaction between a user having a payment account and a merchant having a merchant account, the method comprising:

- a) the user logging on to a centralized personal data base using a basic number and a primary number, wherein the basic number is accessible by the user but not by the merchant (sections 0063-0065);
- b) the user creating an electronic wallet in the centralized personal data base by inputting a payment account number of the user's payment account to associate with the electronic wallet, payment limit of the electronic wallet, and an expiration date of the electronic wallet (sections 0056, 0066);
- c) responsive to the user creating the electronic wallet, the centralized personal data base generating a wallet number associated with the electronic wallet (section 0014-0015);
- d) the user making a purchase from the merchant on a purchase date by sending the wallet number to the merchant, wherein the purchase has a price (section 0070);
- e) the merchant sending the wallet number to the centralized personal data base (section 0085);
- and
- f) the centralized personal data base determining whether the purchase is authorized by determining whether the purchase price exceeds the payment limit of the electronic wallet, wherein the purchase is authorized when the purchase price does not exceed the payment limit (section 0056, 0085-0086)
- g) responsive to determining that the purchase is authorized, the centralized personal data base debiting the user's payment account for the purchase price and crediting the merchant account (section 0091, 0095).

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Armes does not explicitly teach the use of primary number in addition to the wallet number as recited in steps (d) and (e) of the claim. However, Shub teaches a payment verification system that verifies payment to merchants for goods ordered by a customer. The verification comprises of issuing to a customer by a payment server, control numbers including a customer number and a transaction private number. The customer provides these numbers and the identity of the payment server to the merchant such that the merchant confirms the transaction using the said customer number and transaction private number (see at least col. 8, lines 31-48; col. 10, lines 42-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Armes to include a customer number with the wallet number for financial processing as taught by Shub. One would have been motivated to do so in order to make the transaction more secure and provide customer anonymity.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLABODE AKINTOLA whose telephone number is (571)272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691